

ORDINANCE NO. 818

AN ORDINANCE OF THE CITY OF BRYAN PROVIDING THAT THE CODE OF ORDINANCES, CITY OF BRYAN, TEXAS, BE AMENDED BY REVISING SECTIONS 15-17 AND 15-18 OF ARTICLE II, CHAPTER 15 OF SAID CODE, EXTENDING THE HOURS FOR CONSUMPTION AND SALE OF ALCOHOLIC BEVERAGES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THE ORDINANCE IS PASSED ARE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Bryan City Council has taken notice of the passage of an Ordinance by the City of College Station, Texas extending the hours for consumption and sale of alcoholic beverage sale and consumption hours within the city limits of College Station, Texas; and

WHEREAS, the Bryan City Council has the authority as a Texas Home Rule City and in accordance with the Texas Alcoholic Beverage Code Sections 105.03(d)(2), 105.05(d)(2) and 105.06(c) to also extend the hours for consumption and sale of alcoholic beverages within the Bryan city limits; and

WHEREAS, the Council has considered the economic and safety and health impact of extending the said hours and is of the opinion that an extension is appropriate; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF BRYAN, TEXAS:

SECTION 1. That Sections 15-17 and 15-18 of Article II, Chapter 15 of the Bryan City Code are hereby amended to read as follows:

Section 15-17. Sale of Alcoholic Beverages; Hours.

Pursuant to the authority granted to governing bodies of incorporated cities of Texas in Chapter 105 of the Texas Alcoholic Beverage Code, the City Council of the City of Bryan, Texas does hereby adopt the hours prescribed in said code for the sale, consumption, or possession of alcoholic beverages for the purpose of consumption in any place within the jurisdictional limits and control of the City of Bryan, Texas.

It shall be unlawful for any person in the City of Bryan, Texas to sell any alcoholic beverage in any public place for the purpose of consuming the same in such public place at any time on Sunday between the hours of 1:15 a.m. and 12:00 noon; and on all other days of the week between 1:15 a.m. and 7:00 a.m.

Section 15-18. Possession, Consumption of Alcoholic Beverages in Public Place; Hours.

It shall be unlawful for any person in the City of Bryan, Texas to consume any alcoholic beverage in any public place or for any person to possess any alcoholic beverage in any public place for the purpose of consuming the same in such public place at any time on Sunday between the hours of 1:15 a.m. and 12:00 noon; and on all other days of the week between the hours of 1:15 a.m. and 7:00 a.m.

2.

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

3.

Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

4.

It is hereby found and determined that the meetings at which this ordinance was passed were open to the public, as required by Article 6252-17, V.A.T.C.S., and that advance public notice of time, place and purpose of said meetings was given.

5.

That this ordinance shall go into effect thirty (30) days from and after its final passage.

PRESENTED AND GIVEN first reading the 25th day of February 1992, at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, passed and approved on the 10th day of March, 1992, by a vote of 5 ayes and 2 nays at a regular meeting of the City Council of the City of Bryan, Texas.

CITY OF BRYAN

By: Marvin Tate
Marvin Tate, Mayor

ATTEST:

Mary Lynne Galloway
Mary Lynne Galloway, City Secretary

APPROVED AS TO FORM:

Robert D. Andron
Robert D. Andron, City Attorney

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